

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

No. 6:09-cv-6056-AA

v.

SUNWEST MANAGEMENT, INC., CANYON
CREEK DEVELOPMENT, INC., CANYON
CREEK FINANCIAL LLC, and JON M.
HARDER,

Defendants,

and

DARRYL E. FISHER, J. WALLACE GUTZLER,
KRISTIN HARDER, ENCORE INDEMNITY
MANAGEMENT LLC, SENENET LEASING
COMPANY, FUSE ADVERTISING, INC., KDA
CONSTRUCTION, INC., CLYDE HAMSTREET,
and CLYDE A. HAMSTREET & ASSOCIATES,
LLC,

Relief Defendants,

AIKEN, Chief Judge:

Recent fee applications from Moss Adams, LLP have demonstrated hourly rates for professional time in excess of the rates established by the court. The guidelines the court set for this case consist of the following maximum allowed rates:

- Paralegal/Research = \$100/hr;
- Attorney/Professionals with 1-2 years experience = \$150/hr;
- Attorney/Professionals with 3-4 years experience = \$300/hr;
- Attorney/Professionals with 5-6 years experience = \$350/hr;
- Attorney/Professionals maximum rate = \$450/hr.

The fee application for the period of November 1, 2013 through November 30, 2013 again seeks rates in excess of the maximum for James B. Gaffney. Moreover, the application fails to include pertinent information for Debbie Clavon and Anna Palermo allowing the court to determine if the hourly rates sought for these professional are within the guidelines. In addition, the court notes that the rates sought for some professionals exceed the rates noted in Exhibit A.

Although subsequent fee application contain more information regarding Clavon and Palermo (though still insufficient)¹, the issues noted above appear in the fee applications for December 2013 and January 2014 as well. Accordingly, the fee applications

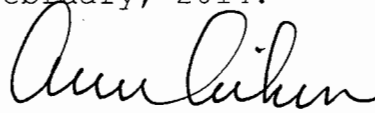
¹There is also insufficient information for Catherine Bricca in the January 2014 fee application.

are denied without prejudice to be re-filed with information sufficient to cure the above deficiencies.

CONCLUSION

For the reasons stated above, the fee applications of Moss Adams, LLP for the months of November and December of 2013, and January 2014 (#s 2501, 2510, 2518) are denied without prejudice.

DATED this 18 day of February, 2014.

A handwritten signature in cursive script, appearing to read "Ann Aiken", is written over a horizontal line.

Ann Aiken
United States District Judge